

SICK LEAVE DONOR PROGRAM SUMMARY

Purpose. The Sick Leave Donor Program allows a County merit system employee to donate sick leave or paid time off (PTO) to another County merit system employee who has exhausted all types of accrued leave due to an extended illness or injury.

Eligibility requirements to receive leave donations.

An employee is eligible to receive a sick leave or PTO donation after the employee:

- has been a County merit system employee for at least 12 consecutive months;
- has an extended illness or injury that causes the employee to be unable to work for more than 7 consecutive calendar days; and
- has used all accrued annual leave, sick leave, personal leave, and compensatory time.

If the employee receives PTO instead of annual and sick leave, all PTO, personal leave and compensatory time must be used.

In extenuating circumstances, a department director may ask the OHR Director to waive the 7-day waiting period for an employee or the requirement that an employee has been a merit system employee for at least 12 consecutive months.

In a leave year, a full-time employee may receive up to 1040 hours of donated leave and a part-time employee may receive a prorated amount of donated leave.

An employee is not eligible to receive a leave donation:

- if the employee resigns or is separated from County employment;
- during a period of suspension; or
- during a leave of absence that is unrelated to an extended illness or injury.

An employee who is eligible for, or is currently receiving, disability leave or another benefit under a County or State program that provides income maintenance payments for illness or injury is not eligible to receive a sick leave donation. However, if the benefit from the County or State program is for medical expenses and not compensation for lost wages, the employee may receive a sick leave or PTO donation.

Eligibility requirements to donate leave.

An employee must keep a minimum balance of sick leave or PTO after donating leave:

- full-time employee - 80 hours
- part-time employee who works 40 or more hours per pay period - 40 hours
- part-time employee who works less than 40 hours per pay period - a pro-rated amount

An employee must not donate leave or PTO after giving oral or written notice of retirement or resignation or receiving written notice of separation from County employment.

For more information, see Section 17-10 of the Montgomery County Personnel Regulations.

How to apply for sick leave or PTO donations.

To apply for a sick leave or PTO donation, an employee must meet the eligibility requirements and complete the following forms and submit them to the department director or the director's designee:

- *Sick Leave Donor Program Authorization Form* (Appendix K) – includes general information about the employee and employee's leave balances to establish that the employee is eligible to receive donated leave
- *Sick Leave or PTO Donation Request Form* (Appendix L) - lists the names of employees who are willing to donate sick leave or PTO and the amount donated by each
- *Medical Certification Form for Sick Leave or PTO Donations* (Appendix M) - a written statement from the employee's health care provider stating that the employee cannot perform the essential functions of the employee's position because of the employee's serious health condition.

Another person may complete and submit the forms on behalf of the employee seeking donations.

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